

**Minutes  
State Board of Education  
Monday, May 19, 2003**

The Arizona State Board of Education held its monthly meeting at the Arizona Department of Education, 1535 W. Jefferson, Phoenix, 85007. This meeting began at approximately 9:05 am.

**Members Present**

Dr. Wade McLean; President  
Ms. Nadine Mathis-Basha; Vice President  
Ms. Armida Bittner  
Ms. Conkie Hoover  
Superintendent Tom Horne  
Ms. JoAnne Hilde  
Ms. Catherine Kasper

**Members Absent**

Dr. Michael Crow

***Board Business Announcements***

President McLean stated to those in the audience that if anyone wishes to address the Board in the Call to the Public, that they please have their sheets submitted before the session begins; any received late will not be heard, but will be documented in our records.

***Minutes, March meeting***

Dr. McLean introduced the item. Ms. Basha made the motion to approve the minutes and the executive session minutes from the April 28, 2003 meeting. Dr. Deithelm seconded. No discussion. Approved.

***President's Report***

Dr. McLean publicly congratulated fellow Board member Dr. Crow (ASU President) for his efforts in uniting the K-12 community with the post-secondary community by the appointment of Dr. Eugene Garcia (ASU Main, Dean of the College of Education) to serve as Vice-President for the University-School Partnerships program.

***Superintendent's Report***

Superintendent Horne spoke to the current legislative budget situation. He addressed the \$19M cut to the Early Childhood Education grant, the cut to administrative budgets, the cut to the federal matching program, and adult education cuts. He urged all to contact their legislators and keep these programs from any fiscal cutbacks.

***Board Member Reports***

No Board member reports.

***Director's Report***

Ms. Farley stated that HB2016 and HB2091, mentioned at last month's Board meeting, have been signed by the Governor and that this legislative session has been successful for the Board with the passage of the AZLEARNS modification bill, the fingerprint clearance card bill, and the reduction in State Board Administrative duties bill.

Ms. Farley discussed the Certification Advisory Task Force meeting, held last week, and the ample participation from all areas of the education community. The Certification meeting discussed Elementary, Special Education, ELL, Administration, Middle School, and High school areas of certification in small groups. The Middle School session was the most controversial and Ms. Farley spoke as to the options this committee had recommended. Applications for this committee are being accepted until June 1<sup>st</sup> and applicants will be notified early in June.

Dr. McLean requested that Ms. Farley provide the Board members with a schedule of when the next Certification Advisory Task Force will meet. DR. McLean asked that the Certification Task Force recognize the major issues with existing teachers evaluated for highly qualified status, stating, that the

State should rely more on administrative recommendations and not so much on tests.

Ms. Farley reported to the Board about three committees that require their participation as Board members. The School Bus Advisory Council and the SBE Career and Technical Education Advisory Committee both require State Board representatives. Ms. Farley stated that without objection by the Board, she would serve as the State Board representative on the School Bus Advisory Council; and that Dr. Diethelm has agreed to serve as Board liaison to the CTE committee and the Joint Legislative Committee on CTE.

### ***Consent Items:***

President McLean requested a motion to approve the consent items unless there were any items the Board wished to have removed. Ms. Hoover made the motion to accept all consent items as presented to the Board in the written material. Ms. Hilde seconded the motion. With no discussion. Motion carried.

Consent Items  
Approved

### ***Public Comments***

President McLean stated that at this time the Board will no longer be accepting public comment sheets and that those received after this time will not be heard publicly, but will be recorded in State Board meeting files.

Jessica Day, Parent: Requested that the Board look into the Dragonfly charter school and some incidents of abuse her family has witnessed.

Superintendent Horne stated that the Department would look into this immediately.

Marsha McClellan, Parent: Dual Language supporter

For further detailed comments, see tape A, side A.

### ***General Session***

- *Consideration to Approve the Negotiated Settlement Recommendation from the PPAC and Retroactively Suspend the Teaching Certificates Held by Brandi Green, Case #C-2002-095*

State Board of Education Director of Investigations, Craig Emanuel, introduced the item stating the findings of fact, misdemeanors, plead guilty, and paid immediate restitution; from the PPAC meeting that led the committee to recommend accepting the negotiated settlement agreement. Ms. Susan Sendrow, AEA General Council representing Ms. Green, was present for any questions from the Board as Ms. Green was unable to attend. Dr. McLean asked for a motion. Ms. Hoover made the motion to accept the negotiated settlement upon recommendation from the PPAC. Ms. Hilde seconded the motion. No discussion, Motion carries.

Accepted Settlement  
Agreement for Brandi Green  
Case # C-2002-095

- *Consideration to Approve the Charter for Desert Heights Elementary School*

Ms. Barclay introduced this item to the Board, stating that this is the second time this school has come before the Board (once last meeting to approve their application) and at this meeting the Board is requested to approve the Charter and become a charter sponsor for Desert Heights Elementary School. Ms. Barclay stated that, according to Board rule, the Charter School application process is two-stepped. Ms. Barclay stated that Mr. Waterhouse is in the audience if the Board has any questions for him. With no discussion, Dr. McLean asked for a motion to approve. Ms. Hilde made a motion to accept the recommendation of

Approved Charter  
For Desert Heights  
Elementary School

the Charter School Application Review Committee and Approve the issuance of a charter contract with Mr. Richard Waterhouse for the Desert Heights Elementary School pending the necessary documentation is provided to staff. Seconded by Ms. Basha. Motion carries.

▫ *Consideration of the Charter Application for Arizona Charter School of Music*

Ms. Barclay introduced this item to the Board stating that the Charter Application Review Committee has recommended that the Arizona Charter School for Music be denied a charter. Ms. Farley stated the extensive background for this application and the many steps staff had already taken to address Ms. McDuffee on this school and mentioned to the Board that their possible options are stated in the agenda material. Dr. Diethelm asked Ms. Barclay if there was a guideline that we give to our charter applicants to assist them in the process. Ms. Barclay stated yes. Superintendent Horne questioned the remand process back to the Charter School review committee. Upon further discussion, Dr. McLean asked if Ms. McDuffee would like to address the Board. Ms. McDuffee provided the Board members with material to support her application (please see attached material in folder). After her presentation and a question and answer period with the Board, Dr. McLean asked for a motion. Superintendent Horne made the motion to deny the charter school application for Arizona Charter School of Music, based on the deficiencies and concerns of the Charter School Application Review Committee. Motion seconded by Dr. Diethelm. No discussion. Motion carries.

Denied Application  
For the Arizona Charter  
School of Music

▫ *Consideration to Close the Record and Approve Notice of Final Rulemaking for R7-2-611 and R7-2-617; regarding Career and Technical Education Certification Rules*

Ms. Bootsma, Career Pathways Director for the ADE, presented the rules to the Board stating that this is the last step in the CTE Certification rules process and gave a brief history of the rule's development. Ms. Bootsma explained to the Board that only one person came to the public comment for the rules and urged the Board to proceed in enacting them. With no questions from the Board, Dr. McLean asked for a motion. Dr. Diethelm made the motion to close the record and approve the notice of final rulemaking for the CTE rules. Seconded by Ms. Basha. Carried

Closed the Record and Approved Final  
Rulemaking  
For R7-2-611 & R7-2-617

▫ *Consideration to Close the Record and Approve Notice of Final Rulemaking for R7-2-401, 402, 403, 404, 408; regarding Exceptional Student Services.*

Dr. Busenbark, ADE Director of Exceptional Student Services, stated the rules process that ESS has done to get to this step with these rules, including a yearlong process of community input taken before beginning the ESS rules process. Ms. Hilde questioned if Dr. Busenbark will be updating these rules in the future to include the changes in IDEA and NCLB. Dr. Busenbark explained that these two pieces of legislation have conflicting agendas when dealing with Special Education and we will have to wait until these pieces become

Closed the Record and  
Approved the Notice of  
Final Rulemaking for  
R7-2-401, 402, 403, 404, 408

compliant with one another. Upon no further discussion, Ms. Hoover made the motion to close the record and to approve the final rulemaking for the ESS rules. Ms. Bittner seconded. Motion carried.

▫ *Discussion and Possible Consideration to Approve AZ LEARNS Modifications, including, but not limited to:*

Dr. Ildiko Laczko-Kerr presented the material to the Board (Please refer to Board material in folder for details)

1. Calculation of High School Math Baseline-

On April 28, 2003 the Board approved the use of a two-year average to calculate Arizona Learns achievement profiles, however Mathematics is a particularly sensitive issue unique to high school, and the ADE is recommending using a single date of 2001 versus a two-year average.

Motion to approve the use of the baseline for high school mathematics to remain a single year (2000-2001) rather than change to a two-year average was made by Superintendent Horne. Seconded Dr. Diethelm. Motion carries.

2. Calculation of Growth Point Groupings for High School Math-

The ADE determines that, based on State Board approval, they will use a single point of data (2000-2001) for calculating high school math growth points. ADE will utilize the appropriate methodology to calculate growth point groupings for high school math. Which, leads to confirm, the use of the appropriate growth point groupings methodology that has been previously adopted by the Board. Dr. McLean questioned Dr. Laczko-Kerr if this was an action item. Dr. Laczko-Kerr responded by saying no, this is for information only. Dr. McLean then asked if the Board had any questions, if not, they will move into number three of the AZLEARNNS modifications.

3. Baseline Groupings Cut Point (6-1) Methodology-

Dr. Laczko-Kerr presented to the Board that this methodology had been approved at the April 28<sup>th</sup> meeting for setting the new cut points. The ADE has consulted with their accountability workgroup to determine the appropriate methodology for the six to one cut point baseline groupings. Dr. Laczko-Kerr stated this is the same methodology approved last year for the growth point groupings, however we will be evaluating this year with standard deviations versus percentages; having more high schools receive higher values (4, 5, 6's) rather than the lower values. The final baseline cut points will be expressed in percentages for ease of understanding- this will be presented at the June meeting with preliminary analysis of schools, based on last years data, of the number of schools that would fall into those growth point groupings.

4. AYP Additional Indicators setting Threshold and Gain Values-

The recommendation by ADE for the additional indicators for the calculation of AYP should be: 1) elementary threshold, attendance and

Approved  
Single-Year Data for  
High School Mathematics Baseline

Discussion Only

Discussion Only

Discussion Only

to the definition of ‘what is a graduate?’ The state threshold is consistent with school finance and the USDOE as defined. For part B, ADE recommends that the expected rate of gain for both the elementary and secondary AYP indicators be set at 1% increase annually- thus if a school doesn’t meet their threshold than their threshold is held at 1% until they do. This will be brought back to the Board in June with hopefully some more guidance from the USDOE (i.e. AZ’s five year versus traditional four year graduation rate)

Discussion Only

▫ *Discussion and Possible Consideration to Approve Policy Regarding Special Needs Students Integration into the AZ LEARNS Accountability System*

Dr. Laczko-Kerr introduced this to the Board and turned the presentation over to Dr. Busenbark for the detail of this system for out-of-level testing for students with disabilities. Dr. Busenbark stated that there was a committee that the ADE looked to for advice on this issue and had worked since November- at least one hour a week- to create an alternative to the NCLB recommendation and yet have found that NCLB leaves little room for flexibility for Arizona and the AIMS testing. The recommendations do not affect the current SAT9 policy of the Board. Dr. Busenbark stressed that with great reluctance, the committee has to recommend that Arizona do away with out-of-level testing for AIMS and consideration of non-standard accommodation according to NCLB terminology. And, that the Board follow federal guidelines for testing of kids under 504, even though the federal guidelines are not completely clear, we must follow the law. The Superintendent says that we must stress that this is required by federal guidelines and is not the choice of Arizona. The policy recommendation will be back to the Board for consideration to approve in June.

Discussion Only

▫ *Discussion and Possible Consideration to Approve the Definition for Persistently Dangerous Schools and Methodology for Classification as Required by the No Child Left Behind Act*

Dr. Laczko-Kerr explained this subject to the Board and the need to approve a definition for NCLB. Dr. McLean spoke to his concerns on the definition of a persistently dangerous school and how the current language can be interpreted in various ways. Ms. Levison, ADE Education Research Associate with Research & Policy, explained the definition and spoke to the concerns of Dr. McLean agreeing that the language needs to be “tightened-up” for clarity purposes. Members asked that all necessary information be included in the policy and not refer to other citations. Dr. Laczko-Kerr presented other items that were to be brought back to the Board in June (please refer to packet material, i.e. victims of a violent crime and open enrollment policy)

**Convened the State Board for Vocational and Technological Education**

The Arizona State Board for Vocational and Technological Education held its quarterly meeting at the Arizona Department of Education, 1535 W. Jefferson, Phoenix, 85007. This meeting began at approximately at 11:10am and adjourned at 11:30am.

**Members Present**

**Members Absent**

Dr. Wade McLean; President  
Ms. Nadine Mathis-Basha; Vice President  
Ms. Armida Bittner  
Ms. Conkie Hoover  
Superintendent Tom Horne  
Ms. JoAnne Hilde  
Ms. Catherine Kasper

Dr. Michael Crow

▫ *Review and Discussion of Carl Perkins Grant Funding*  
Informational. Please refer to attached material

Discussion Only

▫ *Consideration to Approve Contract Abstracts*

Mr. Dennis Fiscus, Education Program Specialist assigned as the State Tech Prep Director and the State Supervisor of Agricultural Education, explained the two contracts to the Board. After no discussion or questions, Dr. McLean asked for a motion. Ms. Hilde made the motion to approve the contracts to award Carl D. Perkins Grants to the entities presented in the Board material. Ms. Hoover seconded. Motion carries. Adjourned the State Board for Vocational Education and reconvened the State Board of Education by Ms. Basha, Seconded by Dr. Diethelm

Approved CTE  
Carl D. Perkins Contracts

▫ *Executive Session*

The Board moved into Executive Session and announced that they will not be reconvening after their session. Dr. McLean asked for a motion to move into Executive Session. Dr. Diethelm so moved and Ms. Basha seconded.

▫ *Adjourn*

Adjournment of meeting was made during Executive Session